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U.S.D.C. - Atlanta

IN THE UNITED STATES DISTRICT COURT

MAY 23 2005

FOR THE NORTHERN DISTRICT OF GEORGIA LUTHER D. THOMAS, Clerk

By:  Deputy Clerk

ATLANTA DIVISION

UNITED STATES OF AMERICA	:	
	:	CRIMINAL ACTION FILE NO.
v.	:	
	:	1:04-CR-613-JEC-LTW
PARVESH SINGH and	:	
DOLORES EVELYN CROSS	:	
	:	
Defendants.	:	

PROTECTIVE ORDER FOR DISCOVERY MATERIAL

The parties agree that this case involves sensitive personal and financial information concerning many individuals. The parties have proposed a protective order to protect the privacy of those individuals and to guard against unnecessary disclosure of their personal and financial information.

Therefore, for good cause shown, IT IS HEREBY ORDERED pursuant to Rule 16(d) of the Federal Rules of Criminal Procedure that discovery materials and all information included in discovery materials (referred to collectively in this order as "discovery"), regardless of whether such materials and information are defined as discovery under Rule 16 or have already been produced, that are provided by the government to the defendants, or vice versa, shall not be further disseminated to any individuals, organizations or

entities, other than: (i) members of the parties' legal teams (co-counsel, paralegals, investigators, litigation support personnel, the defendants, and secretarial and other support staff, and copying and reproduction services personnel); and (ii) experts and consultants retained to assist in the preparation of the case. In addition, the undersigned counsel of record for the defendants, any co-counsel, and any defense investigator may show but not provide copies of any of such discovery to witnesses or potential witnesses, if it is necessary to do so for the purpose of preparing the defense of the case;

IT IS FURTHER ORDERED that each of the individuals to whom any disclosure is made pursuant to this order shall be provided a copy of this protective order and will be instructed that he or she shall not further disseminate the materials or information except at the express direction of counsel. Defendants' counsel shall require that any person to whom disclosure is made shall execute the writing attached hereto as Exhibit A, a copy of which shall be made available to the government upon request;

IT IS FURTHER ORDERED that all discovery is to be provided and used by the defendants and their counsel solely for the purpose of allowing the defendants to prepare a defense in this matter;

IT IS FURTHER ORDERED that neither the government nor the defendants may disseminate discovery to the media;

IT IS FURTHER ORDERED that the parties shall file under seal any papers that include discovery that identifies witnesses or possible witnesses by name or description. The parties shall likewise file any responsive papers under seal;

IT IS FURTHER ORDERED that if any third party requests, by subpoena or otherwise, any discovery from either the government or the defendants, the party receiving such a request shall immediately notify the other party in writing within five (5) business days, and take whatever steps are necessary to protect the confidentiality of the discovery unless directed by a court to disclose the discovery;

IT IS FURTHER ORDERED that all persons subject to this protective order shall dispose of discovery only by shredding the documents or returning the documents to the government upon the conclusion of this action;

FINALLY, IT IS ORDERED that nothing in this Order shall preclude the government or the defendants from seeking a further protective order pursuant to Rule 16(d) as to particular items of discovery material.

IT IS SO ORDERED, this 23 day of May 2005.


Linda T. Walker
United States Magistrate Judge

Acknowledged By:

Donothu Yates Kirkley (with permission by LMA)
Dorothy Yates Kirkley
Counsel for Dolores Cross

Lynn M. Adam
Lynn M. Adam
Assistant U.S. Attorney

John Garland (with permission by LMA)
John Garland
Counsel for Parvesh Singh

R. Joseph Burby, IV
R. Joseph Burby, IV
Assistant U.S. Attorney

Janice A. Singer (with permission by LMA)
Janice A. Singer
Counsel for Parvesh Singh

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EXHIBIT A TO PROTECTIVE ORDER

I, _____, do hereby certify
that I have read the Protective Order dated _____ 2005,
which applies to discovery produced by the government to defendants
Parvesh Singh and Dolores Evelyn Cross. In connection with my
participation in this case, it is necessary for me to have access
to the discovery and information contained therein. I understand
and agree that I am bound by and subject to all the terms and
provisions of the Protective Order. I promise to comply with the
Protective Order.

This _____ day of _____, 200____.

Name / Address / Telephone